

**From:** [Westfall, Constance](#)  
**To:** [Eva Engelhart](#)  
**Cc:** [Charmaine Backens](#); [Sarahan, Paul](#); [mkoks@munsch.com](mailto:mkoks@munsch.com); [Cynthia Brown/R6/USEPA/US@EPA](#); [Edwin Quinones/R6/USEPA/US@EPA](#); [Carnegie, Jack](#); [randycsmith1@cs.com](mailto:randycsmith1@cs.com)  
**Subject:** Re: USOR Records  
**Date:** 09/06/2012 10:12 AM

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Great! I will send out a call-in number.

Thanks,

Connie

Sent from my iPad

On Sep 6, 2012, at 8:58 AM, "Eva Engelhart" <[eengelhart@rossbanks.com](mailto:eengelhart@rossbanks.com)> wrote:

2:00 p.m. on Friday, 9/7 will work for me.

Eva

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**From:** Charmaine Backens [mailto:[charmaine.backens@tceq.texas.gov](mailto:charmaine.backens@tceq.texas.gov)]  
**Sent:** Thursday, September 06, 2012 7:42 AM  
**To:** Westfall, Constance; Eva Engelhart  
**Cc:** Sarahan, Paul; [mkoks@munsch.com](mailto:mkoks@munsch.com); [Brown.cynthia@epa.gov](mailto:Brown.cynthia@epa.gov); Edwin Quinones; Carnegie, Jack; [randycsmith1@cs.com](mailto:randycsmith1@cs.com)  
**Subject:** RE: USOR Records

Connie—

Two o'clock would work.

Connie, I apologize for not responding to the first part of your email below. You have the TCEQ's approval to access the documents as requested. Thank you,

Charmaine

Charmaine K. Backens  
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Texas Commission on Environmental Quality  
MC-175  
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Austin, Texas 78711-3087  
phone (512) 239-0634, fax (512) 239-3434  
[Charmaine.Backens@tceq.texas.gov](mailto:Charmaine.Backens@tceq.texas.gov)

Please consider the environment before printing this email.



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**From:** Westfall, Constance [<mailto:Connie.Westfall@strasburger.com>]  
**Sent:** Wednesday, September 05, 2012 5:29 PM  
**To:** Charmaine Backens; Eva Engelhart  
**Cc:** Sarahan, Paul; [mkoks@munsch.com](mailto:mkoks@munsch.com); [Brown.cynthia@epa.gov](mailto:Brown.cynthia@epa.gov); Edwin Quinones; Carnegie, Jack; [randycsmith1@cs.com](mailto:randycsmith1@cs.com)  
**Subject:** RE: USOR Records

Charmaine:

Would sometime between 1:00 and 3:00 p.m. on Friday (Sept. 7th) work for you for the call?

Thanks,

Connie

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**From:** Charmaine Backens [<mailto:charmaine.backens@tceq.texas.gov>]  
**Sent:** Tuesday, September 04, 2012 8:30 AM  
**To:** Westfall, Constance; Eva Engelhart  
**Cc:** Sarahan, Paul; [mkoks@munsch.com](mailto:mkoks@munsch.com); [Brown.cynthia@epa.gov](mailto:Brown.cynthia@epa.gov); [HASEMAN\\_ROGER@dao.hctx.net](mailto:HASEMAN_ROGER@dao.hctx.net); Edwin Quinones; [david.green@oag.state.tx.us](mailto:david.green@oag.state.tx.us); Carnegie, Jack; [randycsmith1@cs.com](mailto:randycsmith1@cs.com)  
**Subject:** RE: USOR Records

Connie—

At this time, my week is open except for Wednesday afternoon. Thanks,

Charmaine

Charmaine K. Backens  
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**From:** Westfall, Constance [<mailto:Connie.Westfall@strasburger.com>]  
**Sent:** Saturday, September 01, 2012 4:40 PM  
**To:** Eva Engelhart; Charmaine Backens  
**Cc:** Sarahan, Paul; [mkoks@munsch.com](mailto:mkoks@munsch.com); [Brown.cynthia@epa.gov](mailto:Brown.cynthia@epa.gov);

[HASEMAN\\_ROGER@dao.hctx.net](mailto:HASEMAN_ROGER@dao.hctx.net); Edwin Quinones; [david.green@oag.state.tx.us](mailto:david.green@oag.state.tx.us);  
Carnegie, Jack; [randycsmith1@cs.com](mailto:randycsmith1@cs.com)  
**Subject:** USOR Records

At the request of the Receiver (attached), Harris County has released eight boxes of records that were in its custody to the XDD facility where all of the other USOR Site records are stored. XDD will make copies of these records, at the expense of the USOR Site PRP Group, and the originals will be returned to Harris County.

Representatives of the PRP Group would like to have access to these documents next week to supplement its box inventory. **We would appreciate confirmation by return e-mail that we have the TCEQ's and Receiver's approval to do so.** The protocols we have agreed upon will be followed (attached).

Additionally, we should clarify who has custody of these documents. In March, the State and the PRP Group represented to Judge Carter that the TCEQ would take custody of these documents when the prior Receiver was dismissed and Genssler had requested the documents be returned to him. Since then, however, Judge Carter appointed a substitute Receiver which obviates the need for the TCEQ to take custody.

I suggest that Charmaine, Eva, Paul and I have a call next week to talk through the specifics and make sure we are all on the same page. **Please let me know your availability.** Ed and Cindy, if you would like to participate, please let me know.

Thanks,

Connie



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